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Summary: Social Security Agreement between Canada and France



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FOREWORD

The Agreement on Social Security between Canada and France came into force on March 1, 1981. If you have contributed to the French social security system, the Agreement may help you receive benefits from Canada or France.

This summary contains *general* information. Social security legislation and agreements are complex. The summary may not describe all the provisions that apply to your situation.

If you have questions about Canadian benefits, please call Human Resources Development Canada.

From Canada or the United States, you can reach us at:

- 1-800-277-9914 (English)
- 1-800-277-9915 (French)
- 1-800-255-4786 (if you have a hearing or speech impairment and use a TDD/TTY device).

From other countries, please call

- +1-613-957-1954
[collect calls are accepted].

You can also write, E-mail or fax us at the address on page 18.

Only the social security institutions of France can determine your entitlement to French benefits or answer specific questions. If you think that you may qualify for a French benefit, you should apply. On page 17 you will find information on how to apply.

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INTRODUCTION

The Agreement on Social Security between Canada and France coordinates the pension programs of the two countries. These programs pay benefits when you retire, or if you become disabled or die.

The Agreement has two basic objectives:

- It can help you receive benefits based on the periods you have lived or worked in Canada and France.
- It will ensure you have continued coverage by Canadian social security programs if you are sent to work temporarily in France.

The Canadian benefits included in the Agreement are those paid under the Old Age Security program and the Canada Pension Plan. Please see pages 2 to 12 for more information.

The French pensions included in the Agreement are the old age, invalidity and survivors' pensions under the French social security system. You can find more information on pages 13 to 15.

CANADIAN OLD AGE SECURITY BENEFITS

Canada's Old Age Security program provides three benefits: the Old Age Security pension, the Guaranteed Income Supplement, and the Spouse's Allowance.

Old Age Security pension

You can receive an Old Age Security pension if you meet three conditions:

- You must be age 65 or more.
- You must fulfil the residence requirements described below.
- You must be a Canadian citizen or a legal resident of Canada. (If you no longer live in Canada, you must have been a Canadian citizen or a legal resident when you left Canada.)

There are two different residence requirements for an Old Age Security pension. One is for persons who live in Canada. The other is for persons who live outside Canada or who are away from Canada for more than six months.

If you live in Canada ...

Normally, to receive an Old Age Security pension in Canada, you must have lived in this country for at least 10 years after you reached age 18.

The Agreement may help you receive an Old Age Security pension even if you have not lived in Canada for 10 years. As long as you have lived in Canada for at least one year after you reached age 18, we will use your periods of residence in France after reaching age 18 and after January 1, 1966 to help you complete the 10-year condition.

For example, suppose you have lived in Canada for four years after reaching age 18. Under the Agreement, you may receive an Old Age Security pension in Canada if you have lived in France for six years or more after the same age and after January 1, 1966.

If you live outside Canada, or if you are away from Canada for more than six months ...

Normally, to receive an Old Age Security pension outside Canada, you must have lived in this country for at least 20 years after you reached age 18. You must meet this 20-year condition if you live outside Canada when you apply for your pension. You must also meet this condition if you are already receiving a pension in Canada and you leave for more than six months.

The Agreement may help you receive an Old Age Security pension outside Canada even if you have not lived in Canada for 20 years. As long as you have lived in Canada for at least one year after you reached age 18, we will use your periods of residence in France after age 18 and after January 1, 1966 to help you complete the 20-year condition.

For example, suppose you have lived in Canada for 15 years after age 18. Under the Agreement, you may receive an Old Age Security pension outside Canada if you have lived in France for five years or more after the same age and after January 1, 1966.

How we calculate your pension under the Agreement

The amount of your Old Age Security pension will depend on how long you have lived in Canada after you reached age 18.

It normally takes 40 years of residence to receive a full pension. If you have lived in Canada less than 40 years, you will receive a partial pension. The partial pension will equal $1/40$ th of a full pension for each year you lived in Canada after age 18.

If your income is high, the amount of pension you receive may be less, or you may not receive any pension at all.

Once you start to receive a partial Old Age Security pension, additional residence in Canada after that date does not increase the amount of your pension.

Guaranteed Income Supplement

You can receive a Guaranteed Income Supplement if you have little or no income other than the Old Age Security pension. To receive a Supplement, you must live in Canada and receive an Old Age Security pension.

If you leave Canada, you can continue to receive the Guaranteed Income Supplement for the next six months. If you stay away longer, you will stop receiving it. You may reapply for the Supplement if you return to Canada.

Spouse's Allowance

You can receive a Spouse's Allowance if you are between age 60 and 64 and your spouse receives a Guaranteed Income Supplement. You can also receive a Spouse's Allowance if you are a widow or widower age 60 to 64 and have little or no income of your own. In either case, you must live in Canada.

Normally, to receive a Spouse's Allowance, you must have lived in Canada for at least 10 years after you reached age 18.

The Agreement may help you receive a Spouse's Allowance even if you have not lived in Canada for 10 years. As long as you have lived in Canada for at least one year after you reached age 18, we will use your periods of residence in France after the same age and after January 1, 1966 to help you complete the 10-year condition.

If you leave Canada, you can continue to receive the Spouse's Allowance for the next six months. If you stay away longer, you will stop receiving it. You may reapply for the Allowance if you return to Canada.

When you reach age 65, your Spouse's Allowance will stop, and you will start to receive an Old Age Security pension.

How we calculate your Guaranteed Income Supplement or your Spouse's Allowance under the Agreement

The amount of your Guaranteed Income Supplement and Spouse's Allowance depends on two things:

- The length of time you have lived in Canada after you reached age 18.
- Your income. (If you have a spouse, the amount of your benefit will depend on the combined income of you and your spouse.)

Unlike the Old Age Security pension, additional residence in Canada after you start to receive your Guaranteed Income Supplement or Spouse's Allowance may increase the amount of your benefit.

If you are a sponsored immigrant, you may not be eligible for a Guaranteed Income Supplement or a Spouse's Allowance.

CANADA PENSION PLAN BENEFITS

Under the Canada Pension Plan, you can receive benefits when you retire, or if you become disabled. The Plan will also pay benefits to your survivors after you die.

To qualify for these benefits, you must have contributed to the Plan. You must also meet the other requirements described below.

The Canada Pension Plan began in 1966. It covers almost all persons who are age 18 to 70 and working in Canada, except in Quebec. A similar plan, the Quebec Pension Plan, applies to persons working in Quebec.

You can receive Canada Pension Plan benefits anywhere in the world. It makes no difference if you live in Canada or another country.

Retirement pension

You can receive a retirement pension if you have reached retirement age. You must also have contributed to the Plan in at least one year during your working life.

The normal retirement age is 65. If you have reached this age, you may receive a retirement pension even if you are still working. You may also receive a retirement pension if you are age 60 to 64. In this case, however, you must either have stopped working or your earnings from work must be relatively low.

If your retirement pension starts before you are age 65, it is reduced by 0.5 percent for each month between the month the pension begins and the month of your 65th birthday. For example, if you start your pension six months early, it is reduced by 3 percent (6×0.5). The reduction is permanent.

On the other hand, if your pension starts after you reach age 65, it is increased by 0.5 percent for each month of postponement up to age 70.

Disability benefits

To receive a disability pension, you must be under age 65 and disabled. You must also have contributed to the Plan in four of the six calendar years immediately before you became disabled.

You are considered disabled if you have a physical or mental disability that is both severe and prolonged. “Severe” means your condition prevents you from working regularly at any job. “Prolonged” means your condition is long-term or is likely to result in your death.

The Agreement may help you receive a disability pension even if you have not contributed to the Canada Pension Plan in four of the six calendar years immediately before you became disabled. As long as you have contributed to the Plan in at least one year at any time during your working life, we will use your periods of contributions

to the French social security system after you reached age 18 to help you meet the minimum required period.

If you are receiving a disability pension and have a dependent child, the Canada Pension Plan may pay an additional benefit for your child. The child must be under age 18, or between 18 and 25 and in full-time attendance at school or university.

Survivor benefits

If you have contributed to the Canada Pension Plan, your spouse and dependent children may receive benefits after you die. There are three benefits: the surviving spouse's pension, the surviving child's benefit and the death benefit.

For your survivors to receive any of these benefits, you must have contributed to the Plan for a minimum period. The minimum period varies between three and ten years, depending on your age when you die.

The Agreement may help your survivors receive benefits even if you have not contributed to the Canada Pension Plan for the minimum required period. As long as you have contributed to the Plan in at least one year at anytime during your working life, we will use your periods of contributions to the French social security system after you reached age 18 to help complete the minimum required period.

Surviving spouse's pension

To receive a pension, your surviving spouse must be age 35 or more at the time of your death, or must be caring for your child, or must be disabled.

The term “surviving spouse” means a person of the opposite sex with whom you are in a legal or common-law marriage at the time of your death. A common-law spouse is a person of the opposite sex with whom you have been living in a conjugal relationship for at least one year.

Widows and widowers are both eligible for a surviving spouse's pension. Even if your surviving spouse later remarries, he or she will continue to receive the pension.

Surviving child's benefit

Your dependent children may receive surviving child's benefits in the event of your death. The child must be under age 18, or between 18 and 25 and in full-time attendance at school or university.

Death benefit

Your estate may also receive a death benefit when you die. This is a one-time-only payment.

How we calculate your Canada Pension Plan benefits under the Agreement

Some Canada Pension Plan benefits are based entirely on the earnings on which you or your deceased spouse paid contributions to the Plan. Other benefits are flat-rate. Still other benefits are a combination of the two.

PAYMENT OF YOUR CANADIAN BENEFITS

You will receive your Old Age Security and Canada Pension Plan benefits monthly. Payments will always be in Canadian dollars.

If you live in Canada or the United States, you can receive your benefits by cheque or direct deposit to your bank account. The choice is yours. If you live in another country, you will receive your benefits by cheque.

TAXATION OF YOUR CANADIAN BENEFITS

Old Age Security pensions and Canada Pension Plan benefits are taxable under Canada's *Income Tax Act*. If you live in Canada, you must declare these benefits on your annual tax return.

If you live outside Canada, part of your benefit may be withheld for Canadian income tax. The rate of withholding will depend on the country in which you live. In most countries, including France, the rate of withholding is 25 percent. However, there are some countries in which the rate is less. This depends on Canada's tax treaties with those countries.

If you live outside Canada, you may qualify for a reduction in the rate of withholding. This will depend on your income. To find out if you qualify for a reduction, you must apply to the Canada Customs and Revenue Agency (CCRA) by completing form NR-5.

For more information on the taxation of your Canadian benefits or a copy of form NR-5, you should contact the Canada Customs and Revenue Agency (CCRA). From Canada or the United States, please call 1-800-267-5177. From other countries, you can call +1-613-952-3741, or write to the following address:

**International Tax Services Office
Canada Customs and Revenue
Agency (CCRA)
OTTAWA, Ontario K1A 1A8
CANADA**

Fax: +1-613-941-2505

FRENCH PENSIONS

Old Age pension

You can receive an old age pension at age 60. If you have 157 quarters of insurance under the French social security system, you may be entitled to a full pension. If you have less than 157 quarters of insurance, you will receive a reduced pension.

Invalidity pension

You can receive an invalidity pension if you are under age 60 and, through illness or impairment, you have lost at least two thirds of your earning capacity in any occupation. You must also have been insured under the French social security system during the last 12 months. In addition, you must have worked at least 800 hours in the last four quarters prior to becoming disabled, including at least 200 hours during the first three months.

Survivors' pensions

Your spouse can receive a survivor pension from France if at the time of your death you are in receipt of an old age pension, or if you meet the conditions for an old age pension. There are three types of survivor pensions: the reversionary pension (*pension de réversion*), the widow/widower allowance and the disabled widow or widower's pension.

The reversionary pension (pension de réversion)

Your spouse can receive a reversionary pension if you meet the age and personal resource requirements. Your surviving spouse must be at least 55 years of age and you must have been married at least two years unless a child was born from the marriage.

The widow/widower allowance

Your spouse can receive a widow/widower allowance if you were insured under the French social security system for at least 3 months during the year prior to your death. Your surviving spouse must be under age 55, and must have a dependent child. Your spouse's personal income at the time of your death can reduce the amount of the pension.

The disabled widow or widower's pension

Your spouse can receive a disabled widow or widower's pension if you were in receipt of an old age or disability pension, or if you meet the conditions for an old age or disability pension at the time of your death.

Your surviving spouse must be under age 55 and disabled. Your surviving spouse's personal income can also reduce the amount of the pension. This pension ceases upon remarriage or once your spouse reaches age 55.

Through the Agreement, pensions to surviving spouses will be paid in Canada to the spouse or ex-spouse of a deceased person who was a Canadian citizen or a French national. The pension will also be paid if the deceased person was not a Canadian citizen or a French national provided that the surviving spouse or ex-spouse is a Canadian citizen or a French national.

How your French pensions are calculated under the Agreement

When a French pension is paid under the Agreement, the French social security institutions determine the amount payable on the basis of your actual periods of insurance under the French social security system and the earnings corresponding to those periods.

Payment of your French pensions

Your French pensions are paid by the French social security institutions, regardless of your place of residence.

TEMPORARY POSTINGS IN FRANCE

Many Canadians go abroad, as part of their work, on temporary postings in another country. These postings might be to the same company, or to a related company (for example, an affiliate or subsidiary in another country).

The Agreement on Social Security between Canada and France ensures that you can continue to contribute to the Canada Pension Plan if your employer sends you to France to work temporarily. In this way, your Canada Pension Plan protection will not be interrupted. The Agreement also ensures that you will not have to contribute to the French social security system while you are working in France.

For this provision of the Agreement to apply to you, you must be working in Canada and contributing to the Canada Pension Plan before your posting to France. The posting must be part of your work duties. It cannot be an entirely new job in France which has no relation to your job in Canada. Finally, the posting cannot be expected to last more than 36 months.

To benefit from the provisions of the Agreement regarding temporary postings, you and your employer have to obtain a certificate of coverage. You can get such a certificate from the Canada Customs and Revenue Agency (CCRA). For more information, you or your employer should contact:

**Revenue Collections
Ottawa Tax Services Office
Canada Customs and Revenue
Agency (CCRA)
OTTAWA, Ontario K1A 0L9
CANADA**

Tel: +1-613-598-2408
[collect calls are accepted]
Fax: +1-613-238-7125

APPLYING FOR BENEFITS

If you live in Canada...

If you live in Canada and want to apply for Canadian or French benefits, please call Human Resources Development Canada.

You can reach us at:

- 1-800-277-9914 (English)
- 1-800-277-9915 (French)
- 1-800-255-4786 (if you have a hearing or speech impairment and use a TDD/TTY device).

Please have your Canadian social insurance number ready.

You can also write to us at the following address:

**International Operations
Income Security Programs
Human Resources Development Canada
OTTAWA, Ontario K1A 0L4
CANADA**

E-mail: **ibfa.piae@hrdc-drhc.gc.ca**

Fax: **+1-613-952-8901**

We will send you an application form. You will need to complete the form and return it to us.

If you live in France...

If you live in France, you can apply for Canadian benefits at your nearest social security office. They will provide you with an application form, along with instructions to help you complete it. You should return the completed application form to that office. They will forward it to us.

